

Land Department (Ireland) Bill.

ARRANGEMENT OF CLAUSES

PART I.

THE LAND DEPARTMENT.

Constitution and Jurisdiction.

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2. Officers of Land Department.
3. Salaries, remuneration, and fees.
4. Jurisdiction of Land Department.
5. Appeals.
6. Corporate character and seal of Land Department.
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8. Provision for absence of Judicial Land Commissioners.
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[Bill 112.]

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SCHEDULES.

A
B I L L

TO

Constitute a Land Department, and to amend the Laws
relating to the Purchase of Land in Ireland.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: A.D. 1890.

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PART I.

THE LAND DEPARTMENT.

*Part I.
The Land
Department*

Constitution and Jurisdiction.

1.—(1.) There shall be constituted a Land Department for Ireland (in this Act referred to as the Land Department), consisting in the first instance of six Land Commissioners, one or more of whom shall bear the style of Judicial Land Commissioner. Consent of Land Department

(2.) As soon as the state of business in the Land Department permits, the number of the Land Commissioners shall as vacancies occur be reduced to three, one of whom shall be a Judicial Land Commissioner, and until the number of the Commissioners is so reduced any vacancy occurring in their number shall not be filled except on a certificate from the Lord Lieutenant to the effect that in his opinion the state of business in the Land Department requires the vacancy to be filled.

(3.) The Land Judge for the time being shall be a Judicial Land Commissioner.

(4.) Subject to the provisions of this Act with respect to the first Land Commissioners, each of the Land Commissioners other than a Judicial Land Commissioner shall be appointed by Her Majesty, by warrant under the Royal Sign Manual, and shall hold his office by the same tenure as if he were a county court judge in Ireland, and shall receive such annual salary, not exceeding *two thousand five hundred pounds*, as the Treasury may assign.

[Bill 112.]

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22 Vict. c. 29.

Officers of
Land De-
partment.

(5.) Service as a Land Commissioner other than a Judicial Land Commissioner shall, in the case of a Commissioner appointed after the commencement of this Act, be deemed to be service in the permanent civil service of the State within the meaning of section seventeen of the Superannuation Act, 1859.

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2.—(1.) Subject to the provisions of this Act, the Land Department may, with the consent of and subject to regulations by the Treasury, appoint such officers and employ such persons as may be necessary for the purposes of this Act.

(2.) Subject to the provisions of this Act with respect to existing officers, the officers of the Land Department shall receive such salaries or remuneration as the Treasury may assign, but an officer appointed after the commencement of this Act shall not be entitled to any pension or superannuation allowance under this Act unless he has been admitted to his office with a certificate from the Civil Service Commissioners.

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(3.) The power of appointing any officers of the Land Department who are not to be permanent civil servants of the Crown shall be exercisable by such persons, and subject to such conditions, as the Lord Lieutenant in Council may, with the concurrence of the Treasury, direct.

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Salaries,
remunera-
tion, and
fees.

3.—(1.) *The salaries, pensions, and superannuation allowances of the Land Commissioners shall be charged on and paid out of the Consolidated Fund or the growing produce thereof.*

(2.) *The salaries, remuneration, and superannuation allowances of the officers of the Land Department, and such expenses (not otherwise provided for under this Act) of carrying this Act into effect as may be sanctioned by the Treasury, shall be paid out of money provided by Parliament.*

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(3.) All fees received by the Land Department shall, except so far as they are in pursuance of directions of the Treasury applied as an appropriation in aid of moneys provided by Parliament for expenses under this Act, be paid into the Exchequer.

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Jurisdiction
of Land
Department.
40 & 41 Vict.
c. 57.

4.—(1.) There shall be transferred to the Land Department the jurisdiction, powers, and duties following, namely:—

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(i.) The jurisdiction which was by the Supreme Court of Judicature Act (Ireland), 1877, transferred from the Landed Estates Court, Ireland, to the High Court, including the control and direction of the Record of Title Office of the Landed Estates Court, Ireland, and all powers and duties exercised and discharged by the judges of that Court, or either of them, under the Record of Title Act (Ireland), 1865, so far as the same

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jurisdiction powers and duties exist at the commencement of this Act; and A.D. 1890.

(ii.) The jurisdiction, powers, and duties of—

*Part I.
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Department.*

28 & 29 Vict.
c. 88.

(a) the Land Judge under the Supreme Court of Judicature Act (Ireland), 1877, or any subsequent enactment; and

(b) the Land Commission, or any member thereof, under any enactment.

(2.) The Treasury may from time to time, on being satisfied that the transfer to the Land Department of any of the powers or duties herein-after mentioned would be conducive to efficiency and economy, by order (in this Act referred to as an order of transfer) transfer to the Land Department any of the powers or duties of the Board of Works under any of the enactments mentioned in the First Schedule to this Act, or any amending enactment, so far as any such enactment relates to loans for the improvement of lands in Ireland, or to the erection of farm buildings or labourers cottages, and thereupon those powers and duties shall be transferred accordingly, but the exercise and performance thereof shall be subject to the like control by the Treasury as at the date of such order.

(3.) The Land Department may exercise, for the purposes of their duties under the Land Purchase Acts, any powers vested in them by virtue of the transfer of the powers of the Landed Estates Court, Ireland, and the Land Judge, herein-before mentioned.

(4.) The Land Department shall not be subject to be restrained in the execution of their powers under this Act by the order of any court, nor shall any proceedings before them be removed by certiorari into any court.

5.—(1.) An appeal shall lie to the Land Department from any decision of a county court judge acting under any of the Land Law (Ireland) Acts, or of a sub-commission under any of those Acts, and all such appeals shall be by way of rehearing. Appeals.

(2.) A further appeal shall, with the consent of the Land Department, but not otherwise, lie from any decision of the Land Department on an appeal under the foregoing provisions of this section to the Court of Appeal, whose decision shall be final, but such further appeal shall not be permitted in respect of any decision as to the amount of judicial rent, or any question of value or damages, or any matter left in the discretion of the Land Department.

(3.) An appeal shall lie to the Court of Appeal from any judgment or order of a Land Commissioner acting in a matter of a judicial character or involving a question of law or a mixed question of law and of fact.

A.D. 1860.

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The Land
Department.Corporate
character and
seal of Land
Department.

(4.) The right of appeal under this section shall be subject to the like conditions as an appeal from a judge of the High Court sitting in Court.

6.—(1.) The Land Department shall be a body corporate, with perpetual succession and a common seal, having power to acquire land for the purpose of any enactment under which the Land Department is for the time being authorised to act.

(2.) Judicial notice shall be taken of the official seal of the Land Department, and any instrument purporting to be sealed therewith shall for all purposes be admissible in evidence, and, if a copy, shall be so admissible in like manner as the original.

(3.) An order of the Land Department may be under their common seal, and authenticated in the prescribed manner.

Transaction
of business
by Land
Department.

7.—(1.) For the purpose under the Land Purchase Acts of granting or refusing advances, and of ordering sales of holdings, the Land Department shall act by *not less than two* Land Commissioners, but where such two Commissioners differ on any such matter it shall be determined by three Land Commissioners of whom a Judicial Land Commissioner shall be one.

(2.) For the purpose of hearing any appeal from a decision of a county court judge acting under any of the Land Law (Ireland) Acts, or of a sub-commission under any of those Acts, the Land Department shall act by a Judicial Land Commissioner and such *two* other Land Commissioners as would have acted if this Act had not passed, and the Judicial Land Commissioner shall preside.

(3.) In the event of the illness or unavoidable absence of any Land Commissioner other than a Judicial Land Commissioner, any such appeal may be heard and determined by *two* Commissioners only.

(4.) Subject to the provisions of this Act, the Land Department may act by any one or more of the Land Commissioners.

(5.) Subject to the provisions of this Act, the performance and exercise of the duties, powers, and business of the Land Department shall be distributed among the Land Commissioners in such manner as the Lord Lieutenant in Council may direct, so however that, so far as practicable, matters which are of a judicial character or involve any question of law shall be assigned to the Judicial Land Commissioners.

(6.) What matters are of a judicial character or involve a question of law shall be determined by the Judicial Land Commissioners, and in case of their differing by the Lord Chancellor.

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Department.
Provision for
absence of
Judicial
Land Com-
missioners.

(7.) The Land Department may act notwithstanding any vacancy in their number.

8.—(1.) If and when any Judicial Land Commissioner is temporarily unable to attend, or his office is vacant, the Lord Chancellor may nominate any judge of the High Court to act, and the judge so nominated shall, during such inability or vacancy, have the same jurisdiction as if he were such Judicial Land Commissioner.

(2.) The Lord Chancellor may nominate any Judges of the High Court to act as additional Judicial Land Commissioners for the time specified by him; and every judge so nominated shall, during that time, have the same jurisdiction as the Judicial Land Commissioners for the purposes of the Land Purchase Acts.

(3.) A judge of the High Court appointed *before the first day of January, one thousand eight hundred and eighty-eight* shall not, without his own consent, be nominated under this section.

9.—(1.) When the Land Department have sanctioned an advance under the Land Purchase Acts to a tenant who is purchasing his holding, it shall be lawful for any person interested in the purchase money—other than the landlord to apply in the prescribed manner and within the prescribed time to a Judicial Land Commissioner; and thereupon such Commissioner shall inquire into the sufficiency of the price agreed on, and if he shall decide that the sale ought not to be carried out on the ground that the agreement therefore was made at an under value, the sanction of the Land Department to the advance shall be invalid.

Review of
price agreed
on.

(2.) The decision of the Judicial Land Commissioner under this section shall be final and conclusive.

10. In the construction and for the purposes of any Act of Parliament, contract, or other document, but so far only as may be necessary for exercising the jurisdictions and powers and discharging the duties by or under the provisions of this Act transferred to and vested in the Land Department, the name of that department shall, according to circumstances, be deemed to be substituted for the Land Judge, the Land Commission, the Board of Works, or any judge assigned under section nineteen of the Purchase of Land (Ireland) Act, 1885, to discharge the duties therein mentioned, as the case may require; and any act or thing which might, if this Act had not passed, have been done by either of such judges, the Land Commission, or the Board of Works, so far as relates to the jurisdictions, powers, and duties transferred by or under the provisions of this Act, may, subject to the provisions of this Act, be done by the Land Department.

Construction
of Acts
and docu-
ments.

43 & 49 Vict.
c. 73.

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Transitional and Temporary Provisions.

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The Land
Department.
First mem-
bers of Land
Department.
44 & 45 Vict.
c. 49.*

11.—(1.) The person who is at the commencement of this Act the Judicial Commissioner of the Land Commission appointed under the Land Law (Ireland) Act, 1881, shall be a Judicial Land Commissioner in addition to the Land Judge. 5

*44 & 45 Vict.
c. 49.*

(2.) The other first Land Commissioners shall be the persons who are at the commencement of this Act the Commissioners of the Land Commission appointed under the Land Law (Ireland) Act, 1881, (other than the Judicial Commissioner), and the additional Commissioners of the Land Commission appointed under the Purchase of Land (Ireland) Act, 1885. 10

*46 & 49 Vict.
c. 73.*

(3.) Each of the first Judicial Land Commissioners shall continue to have the same rank, to hold his office by the same tenure, and to be entitled to the same salary and pension as if this Act had not passed, and he had continued to hold the office held by him at the commencement of this Act. 15

(4.) Each of the other first Land Commissioners shall hold his office by the same tenure as if he had been appointed after the commencement of this Act, and shall be entitled either to a salary of two thousand five hundred pounds and the like pension or superannuation allowance as if his service as Land Commissioner under any previous Act and under this Act were service in the permanent Civil Service of the State within the meaning of section seventeen of the Superannuation Act, 1859, or to a salary of three thousand pounds without any pension or superannuation allowance. 20 25

(5.) Nothing in this Act shall require the person who is the Land Judge at the commencement of this Act to perform as Land Commissioner any duties other than such as are analogous to those performed by him before the commencement of this Act.

*Provisions as
to vacancies.*

12.—(1.) If the state of business in the Land Department requires the filling of a vacancy in the office of the Judicial Land Commissioner other than the Land Judge, the Lord Lieutenant may nominate, with his consent, a judge of the High Court to fill the vacancy, and the judge so nominated shall be a Judicial Land Commissioner as successor to the Commissioner whose office is vacated. 30 35

(2.) If the Lord Lieutenant fails to obtain such consent it shall be lawful for Her Majesty, by warrant under the Royal Sign Manual, to fill the vacancy by appointing as successor to the Commissioner whose office is vacated a person being or having been a county court judge or being a practising barrister at the 40

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Department.

Irish bar of *not less than ten years standing*; and the person so appointed shall forthwith on his appointment become an additional judge of the Supreme Court, with the same rank, salary, tenure of office, and right to retiring pension as if he had been appointed a judge of the High Court. He may be required by order of the Lord Lieutenant in Council to perform any duties which a judge of the High Court is for the time being required to perform, but unless so required he shall not be bound to perform any of those duties.

In the event of such last-mentioned appointment being made, the number of judges of the High Court at the commencement of this Act shall be reduced by one, by not filling up the vacancy which shall next thereafter occur among the judges attached to such division of the High Court as the Lord Lieutenant may direct.

13.—(1.) There shall be transferred and permanently attached to the Land Department the secretary and solicitor of the Land Commission, and such of the officers of the High Court and persons employed under the Board of Works in or about the execution of any powers and duties transferred by or under the provisions of this Act from the Land Judge or Board of Works to the Land Department as the Lord Lieutenant, with the concurrence of the Treasury, may determine.

Transfer of
offices.

(2.) All other persons who shall at the commencement of this Act be employed under the Land Judge and the Land Commission, including the Assistant Commissioners appointed under section forty-three of the Land Law (Ireland) Act, 1881, shall be temporarily transferred and attached to the Land Department, but shall not be permanently attached thereto until a scheme has been framed in pursuance of this Act for determining what persons, including Assistant Commissioners, are required for the permanent organisation of the official staff of the Land Department.

44 & 45 Vict.
c. 49.

(3.) The Lord Lieutenant and the Land Department, with the concurrence of the Treasury, shall, *within one year from the passing of this Act*, frame a scheme for determining what persons (including Assistant Commissioners) are required for the organisation of the official staff of the Land Department, and which of the persons temporarily transferred to the Land Department in pursuance of this Act are to continue to be attached thereto either permanently or temporarily, and for amalgamating any offices which appear capable of being combined, and for abolishing any office which appears to them to be unnecessary, and for

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reducing, or, in case of additional duties, increasing the salary of any officer, and for altering the designation and duties of any officer, and for determining what reductions may be made in the staff of the High Court or Board of Works respectively by reason of any transfer of powers or duties by or under the provisions of this Act, and for assigning officers of the Land Department to perform duties temporarily or otherwise under or in connexion with the Congested Districts Board.

(4.) The Land Department as respects their own department, and the Lord Lieutenant as respects the Congested Districts Board, may distribute the business of the Department and Board amongst the several persons transferred to the Department in pursuance of this Act in such manner as they or he may think right, and those persons shall perform such duties in relation to that business as may be directed by the Department or Lord Lieutenant.

(5.) Such of the officers of the Land Commission as are permanently attached to the Land Department in pursuance of this section, and as are not at the date of being so attached permanent civil servants of the Crown, shall, as from that date, become and be such permanent civil servants, and their respective periods of service under the Land Commission or under the Commissioners of Church Temporalities in Ireland shall be taken into account for all purposes of superannuation allowance, and they may, subject to the approval of the Treasury, receive a superannuation allowance on retirement, although they may not have obtained certificates from the Civil Service Commissioners.

(6.) If a vacancy occurs in any office which is at the commencement of this Act under or attached to the Land Judge or the Land Commission, the vacancy shall not, without the concurrence of the Treasury, be filled until the *expiration of one month from its occurrence*; and the Land Department may, with the like concurrence, postpone filling any such vacancy for any period not longer than *one year from the commencement of this Act*, and make such provision as may appear to be necessary or proper for the temporary discharge of the duties of the office.

(7.) All officers who have heretofore been attached to the Land Judge and appointed by that Judge, or will hereafter be attached to that Judge, shall be appointed by the person who is the Land Judge at the commencement of this Act.

Pending
proceedings.

14. Subject to rules under this Act, all proceedings pending before any person at the commencement of this Act, or at the date of any order of transfer, as the case may be, and in respect of which that person exercises or performs any jurisdiction, powers,

or duties transferred by this Act or such order, as the case may be, to the Land Department, shall be transferred to the Land Department, and may thereupon be continued and concluded as if they had been originally instituted before the Land Department.

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Department.*

- 5 15.—(1.) All property, rights, and interests which at the commencement of this Act are vested in the Land Judge as such, or in the Land Commission, or which at the date of any order of transfer are vested in the Board of Works, in relation to any loans for the improvement of land, or to the erection of farm buildings
10 or labourers' cottages, so far as shall be specified in such order, shall be vested in the Land Department *as from the commencement of this Act*, or the date of such order, as the case may be, and be held and exercised to, on, and for the same uses, trusts, and purposes, and subject to the same rights, as at the com-
15 mencement of this Act, or the date of such order, as the case may be.

Transfer of
property.

- (2.) The Bank of Ireland and all other persons and authorities shall make any entry or transfer required for giving effect to this section, and the Bank of Ireland shall, on requisition in writing
20 from the Land Department, cause to be transferred to the account of the Land Department any bank annuities standing in the books of the Bank of Ireland in the name of the Accountant-General of the Supreme Court in pursuance of the order of any judge whose jurisdiction is transferred by this Act.

- 25 (3.) All books, documents, and papers which are in the possession of any person whose jurisdiction, powers, or duties are by or under the provisions of this Act transferred to the Land Department, or of any person attached to or employed under any such person by reason of his being so attached or employed, and which
30 relate to the jurisdiction, powers, and duties so transferred as aforesaid, shall be transferred to the Land Department, and be dealt with in such manner as the Land Department by order direct, and any person who fails to comply with any order made for the purpose of giving effect to this section shall be guilty of a
35 contempt of court.

- (4.) For the purposes of this section any property, right, or interest vested in or made exercisable by any predecessor of the person who is the Land Judge at the commencement of this Act for the purpose or in the course of his duties as such judge, whether
40 by his official name or otherwise, shall be deemed to be vested in the Land Judge as such.

*Part I.
The Land
Department.
Abolition of
offices of
Commissioner of
Valuation
and General
Boundary
Surveyor
and transfer
of duties.*

16. On the occurrence of the first vacancy in the office of Commissioner of Valuation that office shall be abolished, and the jurisdiction, powers, and duties vested in, imposed on, or exercisable by that officer shall be transferred to, vested in, and imposed on the Land Department, and thereupon the provisions of this Act with respect to the construction of Acts and documents, and the transfer of officers and property, and pending proceedings, shall, as nearly as may be, apply as if references in those provisions to the Land Commission included references to those officers.

*Part II.
Amendment
of Land
Purchase
Law.*

PART II.

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AMENDMENT OF LAND PURCHASE LAW.

Guarantee Deposit.

*Retention of
guarantee
deposit.*

17.—(1.) Notwithstanding anything in any of the Land Purchase Acts, in every case of an advance under the said Acts made by the Land Department to a tenant who is purchasing his holding the Land Department shall, subject to the provisions of this section, retain a guarantee deposit out of the advance made.

(2.) If the Land Department are satisfied that the purchase money and the value of the interest which a tenant agrees to buy in his holding are in excess of an advance made for the purchase of that holding, they may, if the excess is at least *one fourth* of such value, dispense with any guarantee deposit, and if the excess is less than *one fourth*, may reduce the guarantee deposit by an amount proportionate to that excess.

SUPPLEMENTAL PROVISIONS.

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Vesting Order.

*Liability of
tenant after
agreement
for sale.*

18.—(1.) Where after the commencement of this Act the Land Department shall sanction an advance under the Land Purchase Acts for enabling a tenant to purchase his holding from his landlord, the tenant shall not be liable for rent accruing after the previous gale day for the rent; but the tenant shall be liable to pay interest at the rate of *four* per cent. per annum on the purchase money, as from that gale day until the first gale day for the payment of purchase-annuities which occurs after the date of the vesting order; and for the purposes of this section the previous gale day for the rent shall be the gale day next before the

sanction of the advance, or if the advance is made on a gale day, then that gale day.

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of Land
Purchase
Law.*

(2.) The said interest shall be payable to the Land Department half-yearly on the first days of *May* and *November*, and shall be recovered by them as if it were an instalment of a purchase-annuity charged on the holding, and when received shall, after deducting expenses, be paid by them to the landlord, or other person entitled thereto.

(3.) If the vesting order is refused, the agreement for sale shall become void, and the tenant shall be liable to pay his rent in like manner as if the agreement had never been made, but any sum paid to the Land Department for interest by the tenant in pursuance of this section shall be allowed by the landlord to the tenant as if it were rent paid.

15 19.—(1.) Every vesting order made after the commencement of this Act on a sale by a landlord to a tenant under the Land Purchase Acts, as regards any holding, shall vest the holding in the purchaser, and charge it with the purchase-annuity; and the first instalment of such annuity shall, if the vesting order is made on
20 a gale day for the payment of purchase-annuities, be paid on the next such gale day, and in any other case be paid on the second such gale day which occurs after the making of the vesting order.

*Effect of
vesting
order.*

(2.) The vesting order shall be binding upon all persons claiming any estate or interest in the land comprised in the holding, including Her Majesty the Queen, and shall be effectual to vest in the purchaser, and charge the purchase-annuity on, the fee simple and inheritance of the holding described in the order, subject to such exceptions and reservations (if any) as to mines,
30 timber, and fishery, or other rights as may be specified in the order, and subject to any public rights affecting the same, and to the provisions of this section respecting the tenant's interest, and respecting easements, but save as aforesaid discharged from all estates, charges, interests, and incumbrances whatsoever as well of
35 Her Majesty as of all other persons whomsoever.

(3.) Where the holding is purchased by the tenant thereof, the estate in fee simple vested in him by the vesting order shall, subject to the charge of the purchase-annuity, and to any such charge for the excess of the purchase money above the advance as is set out in
40 the order, be deemed to be a graft upon the previous interest of the tenant in the holding, and be subject to any rights or equities arising therefrom; provided that any charge on such previous

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Purchase
Law.

interest of the tenant which is subsisting at the date of the vesting order, and was created under any Act passed before the passing of this Act and authorising the advance of public money or creating charges in respect of improvements on lands shall be a charge on the estate vested in the tenant by the vesting order next after the purchase-annuity.

(4.) The holding vested in any person by a vesting order shall continue to have appurtenant thereto, and to be subject to (as the case may be), any previously existing easements; and in case of a holding vested in any tenant by a vesting order, whether under the Land Purchase Acts or otherwise, any privileges or advantages previously in fact enjoyed, whether by permission of the landlord or otherwise, in such manner and for such time that if the holding had belonged to a different owner from the rest of the estate they would have been easements, shall be easements within the meaning of this section, and shall be appurtenant to, or be exercisable over, the holding (as the case may be).

(5.) The Land Department may, if they think fit, by a vesting order under the Land Purchase Acts, or within *twelve months* after its date, by a further order determine any boundary of a holding sold under the said Acts, and may delineate the same on a map engrossed on or attached to such further order, and such vesting order, or a further order, as the case may be, shall be conclusive as to the boundary so determined.

(6.) In the course of the distribution of the purchase money of a holding sold under the Land Purchase Acts, the Land Department may, whenever they think it just or expedient, compromise, by the payment of any principal or annual sum, any postponed, contingent, or doubtful or other claim of a person to any share or interest in the purchase money.

Vesting
order by
Land Judge.

20. After the commencement of this Act, all sales made by the Land Judge under the Landed Estates Court Act, instead of being carried into effect by conveyances or assignments, as the case may be, under the said Act, shall be carried into effect by vesting orders in the prescribed form; and every such vesting order and every declaration of title under the said Act shall have the same effect in all respects as a conveyance, assignment, or declaration of title, as the case may be, had at the commencement of this Act under the said Act, except as regards easements, as to which the provisions of this Act as to the effect of a vesting order shall be substituted for the provisions of the Landed Estates Court Act.

Liabilities of Holding.

21.—(1.) When the whole or any part of an instalment of any purchase-annuity due on any gale day is in arrear and unpaid, the Land Department shall within *one month* from such gale day cause
5 the prescribed notice to be served upon the proprietor of the holding, requiring him forthwith to pay such arrear, and if the arrear after making the set off (if any) allowed under the Land Purchase Acts on account of purchaser's insurance money, is not paid within *two months* from the service of such notice, the holding
10 shall be liable to be sold under the Land Purchase Acts.

(2.) Where a holding is liable to be sold under the Land Purchase Acts, then subject to the provisions of this Act, the Land Department, if in their opinion there appears to be no reasonable probability of the amount being otherwise realized, shall forthwith, after the
15 prescribed notice, order such holding to be sold, and for that purpose may, at such time as they think expedient, exercise the powers conferred upon mortgagees by sections nineteen, twenty-one, and twenty-two of the Conveyancing and Law of Property Act, 1881, so far as the same are applicable:

44 & 45 Vict.
c. 41.

20 (3.) If within *six months* after a holding becomes liable to be sold under the Land Purchase Acts by reason of an instalment of a purchase-annuity being in arrear and unpaid, the holding is not sold, or the amount of such arrear is not otherwise realized, the Land Department shall declare that for the purposes of the
25 provisions of the Land Purchase Acts relating to the guarantee deposit there appears to be no reasonable probability of the amount being realized; but such declaration shall not prevent any subsequent proceedings for the recovery of such arrear.

(4.) The Land Department while any such sale is pending and
30 also if unable to sell or if they think it useless to attempt a sale, shall temporarily let or manage the holding for such time and in such manner as they think expedient.

(5.) For the purpose of the sale or of the management of a holding under the Land Purchase Acts, the Land Department
35 may issue an order declaring the holding to be vested in them, and directing the sheriff to put them or their agent or nominee into possession of the holding, and thereupon the holding shall vest in the Department as if possession of it had been recovered in an action for the recovery of possession on the title at the suit
40 of the Department, and the order shall be executed by the sheriff in the like manner as a writ of possession after a judgment recovered in such an action.

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 of Land
 Purchase
 Law.*

(6.) In acting under this section, the Land Department shall take such course as appears to them most beneficial to the Guarantee Fund, having regard to the interests of the person entitled to the residue of the purchase money.

(7.) The Land Department shall not without the consent of the Treasury sell a holding at such price, or on such terms as will cause loss to the Guarantee Fund, but with such consent the holding may be sold either free from the purchase-annuity or subject to such reduced purchase-annuity for a term not exceeding *forty-nine years* as the Land Department fix, and the provisions of the Land Purchase Acts with respect to the original purchase-annuity shall apply to such reduced purchase-annuity.

42 & 49 Vict.
 c. 73.

(8.) The provisions of section four, sub-section (b), of the Purchase of Land (Ireland) Act, 1885, as to the redemption of an annuity shall apply to every purchase-annuity under the Land Purchase Acts, and the value of such annuities shall be calculated according to tables to be made by the Treasury.

Application
 of proceeds
 of sale and
 management.

22.—(1.) The net proceeds of the sale of a holding under this Act shall be applied in paying any costs due to the Land Department by reason of arrears of the purchase-annuity charged on the holding, and any expenses of the Land Department of the letting or management of the holding not discharged out of the proceeds of such letting or management, and subject thereto shall be paid to the Land Purchase Account and applied—

(a) first, in the repayment of so much of the advance as will not be repaid by any purchase-annuity charged on the holding as sold; and

(b) secondly, in the payment of any arrears of the purchase-annuity and the repayment of any sums paid out of the Guarantee Fund or guarantee deposit by reason of former arrears: and the residue (if any) shall be paid to the person who appears to the Land Department to be entitled thereto.

(2.) The net proceeds of any letting or management of a holding under the Land Purchase Acts shall, so far as not required for the discharge of the sums due in respect of the current instalments of the purchase-annuity on the holding, and the expenses of such letting or management, be paid into the Land Purchase Account, and applied as directed by the Land Purchase Acts with respect to that account.

(3.) Every instalment of such portion of the original purchase-annuity charged on a holding ordered to be sold—

(a) as is not on a sale either redeemed or charged on the holding by a reduced purchase-annuity; or

(b) as is not defrayed out of the proceeds of any letting or management of the holding by the Department, shall continue to be charged on and paid out of the Guarantee Fund to the Land Purchase Account in like manner as it would have been if the holding had not been ordered to be sold, and default had been made in payment of such instalment, and for the purpose of the guarantee deposit shall be an irrecoverable debt, but such instalment shall not be payable out of any other funds of the Land Department.

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—
Part II.
Amendment
of Land
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Law.

(4.) So long as a holding is in the occupation of the Land Department, or of any manager appointed by them, no poor rate, county cess, income tax, or borough or other local rate shall be recoverable or leviable in respect of the holding, provided that the Land Department, if they have in their hands any net proceeds of the management of the holding, shall apply the same to the payment of such rate, cess, or tax, so far as the same will extend; and every such rate, cess, and tax shall be apportionable for the purpose of this section.

23.—(1.) A holding while subject to a purchase annuity under the Land Purchase Acts, shall, as between the Land Department and the proprietor for the time being of the holding, be subject to the following conditions of purchase, that is to say, to the conditions specified in section thirty of the Land Law (Ireland) Act, 1881, and also to the following conditions:—

Conditions
annexed to
holdings
while subject
to annuity.
44 & 45 Vict.
c. 49.

(a.) The proprietor shall not, without the consent of the Land Department, do any act which if done by a tenant at will would as between him and his landlord be waste.

(b.) The proprietor shall keep all main drains and watercourses upon the holding at the date of the agreement for sale in good order, repair, and condition.

(c.) The proprietor shall permit any person authorised in that behalf by the Land Department at all reasonable times to enter upon the holding and ascertain how far the several conditions of purchase are being observed.

(2.) Where the proprietor persistently, after written notice given by the Land Department requiring him to observe the same, contravenes any of the conditions of purchase which are set out in this section, or where the holding is liable to be sold for a breach of any of the conditions of purchase specified in section thirty of the Land Law (Ireland) Act, 1881, then, without prejudice to any other remedy, the holding shall be liable to be sold under this Act.

44 & 45 Vict.
c. 49.

(3.) It shall be the duty of the Land Department to enforce the observance of the conditions of purchase.

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Part II.
*Amendment
 of Land
 Purchase
 Law.*
 Rights of
 turbary and
 acquisition
 of bog.

Turbary.

24.—(1.) Where any tenants of holdings on an estate have purchased their holdings, the Land Department may, if the landlord agrees to sell any bog on the estate, purchase the same for the benefit of any tenants or purchasers of holdings on the estate who have been accustomed to exercise, whether as of right or by permission, any privilege of turbary over any bog on the estate or may purchase the same for the benefit of any other tenants or purchasers, of holdings on such estate and of other inhabitants of the neighbourhood. 10

(2.) The amount of the purchase money and costs shall be defrayed as part of the expenses of the Land Department, and all sums received by the Land Department in respect of bogs purchased in pursuance of this section shall, if directed by the Treasury, be applied as an appropriation in aid of money provided by Parliament for the expenses of the Land Department, and so far as not so directed, shall be paid into the Exchequer. 15

(3.) The Land Department, before purchasing any bog, shall be reasonably satisfied that they will ultimately realise by means of the bog an amount sufficient to repay the purchase money with interest at the rate of *three and one eighth* per cent. per annum. 20

(4.) Where the Land Department purchase a bog on an estate, and any tenants or purchasers of holdings on the estate have been accustomed, whether as of right or by permission to exercise any privilege of turbary, the Department shall grant them that privilege, subject to the provisions herein-after contained as to payment, conditions, and regulations, and so far as such grants shall not extend, may grant privileges of turbary to the tenants or purchasers of holdings on the estate, and to other inhabitants of the neighbourhood, or any of them, and in every case, shall require such payments as the Land Department consider will, after deducting current expenses, pay off with interest the purchase money and costs of purchase, and may make such conditions and regulations as they think expedient as to the exercise of the privileges granted. 25 30

(5.) When the bog or any part thereof is exhausted for purposes of turbary, the Land Department may sell the same. 35

(6.) Where a holding purchased by a tenant comprises a bog which is subject to a right of turbary exercisable by persons other than the proprietor of the holding, the Land Department on the prescribed application may make regulations for the purpose of securing that the exercise of the right shall not prevent the future 40

reclamation of the bog, and that such persons shall have reasonable facilities for the exercise of the said rights.

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Amendment
of Land
Purchase
Law.

(7.) Any regulations under this section may provide for the punishment of any breach of them by a fine not exceeding *ten*
5 *pounds* to be recovered in a summary manner.

(8.) This section shall apply where holdings have been purchased whether before or after the *commencement of this Act*, under any of the Land Purchase Acts, or under the Irish Church Act, 1869: Provided that where a holding subject to a right of turfary has been
10 purchased before the *commencement of this Act*, the regulations under this section shall be made only on the application of the proprietor of the holding.

32 & 33 Vic.
c. 42.

Incumbered Estates.

25 25. Where an absolute order for the sale of an estate has been made in pursuance of the Landed Estates Court Act, and the estate is so circumstanced that it would, if this Act had not passed, be sold independently of the consent of the landlord as to price, then if it appears to the Land Department that such estate can be sold to the best advantage by sales to the tenants
20 under the Land Purchase Act, the Department may order that any holdings on such estate shall be so sold, and thereupon this Act shall apply as if the Land Department were the landlord.

Sale of
estate under
Landed
Estates
Court

Head Rents.

25 26.—(1.) Where the landlord within the meaning of this Act of any estate (in this section referred to as the immediate landlord) himself pays rent in respect of the estate to another person, then if that rent exceeds *one-third* part of the annual value, ascertained as in this section mentioned, of the estate of the immediate landlord in respect of which the rent is paid, the person entitled
30 to receive such rent shall be a superior landlord within the meaning of this Act, but in any other case he shall be considered as the owner of a head rent subject to apportionment and redemption in manner provided by this Act.

Rights of
superior
landlord.

(2.) Where there is such a superior landlord of any estate,
35 and an application for an advance for the sale of a holding on such estate has been made to the Land Department, the Department shall cause the prescribed notice of the agreement to be given to the superior landlord before they sanction an advance, and if on the prescribed application of the superior landlord the Land Depart-
40 ment are satisfied, that by reason of the smallness of the interest of

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Amendment
of Land
Purchase
Law.

the immediate landlord or for any other cause it is just and expedient so to do, they may by order substitute the superior landlord for the immediate landlord.

(3.) Where there is such a superior landlord of an estate, any tenants of holdings on the estate with whom the immediate 5 landlord has failed to make agreements for the sale of their holdings, may request the superior landlord to sell to them their holdings in pursuance of this Act, and thereupon he may make the prescribed application to the Land Department, and if that Department, having regard to the smallness of the 10 interest of the immediate landlord, and to the number of, and rents paid by, the tenants with whom the superior landlord is willing to agree for the sale of their holdings, are satisfied that it is just and expedient so to do, they may by order substitute the superior landlord for the immediate landlord. 15

(4.) An order substituting a superior landlord for an immediate landlord may be made as regards either the whole or part of the estate, and may be made upon such terms and conditions (if any) as may be therein specified; and upon the order being made the superior landlord shall be the landlord for the purpose of a sale to 20 the tenants under the Land Purchase Acts.

(5.) Where an order substituting a superior landlord for an inferior landlord is made, such sum (if any) in respect of the value of the interest of the immediate landlord shall be paid as may be determined under the provisions of section sixteen of the 25 Land Law (Ireland) Act, 1887, which relate to the determination of the amount payable for the redemption of a rent, and such sum may be paid out of the purchase money of any holding sold or otherwise as directed by the order.

60 & 51 Vict.
c. 33.

(6.) If in any case where there is a superior landlord he is not 30 substituted under this section for the immediate landlord, the immediate landlord may sell as landlord under this Act, and the superior landlord shall be considered as the owner of a head rent subject to apportionment and redemption in manner provided by this Act. 35

(7.) For the purpose of determining the application of this section, the annual value of an estate to the immediate landlord shall be the aggregate amount of the gross annual rent payable to him by occupying tenants, and of the rateable value of such portion of the estate as is not occupied by tenants; and the rent where 40 payable out of two or more estates, shall, for the purpose of this section, be apportioned between those estates in proportion to the rateable value of each estate.

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Part II.
Amendment
of Land
Purchase
Law.
Application
of provisions
as to rights
of superior
landlord.

27.—(1.) Where a landlord within the meaning of this Act is unable to sell under the Land Purchase Acts by reason that he holds his land under a lease of which less than *sixty years* are unexpired, the person to whom he pays the rent under such lease shall be a superior landlord within the meaning of this Act, and the provisions of this Act with respect to superior landlords shall apply in like manner as if the immediate landlord had failed to make agreements for the sale to his tenants of their holdings.

(2.) Where in respect of any estate there is a succession of persons, each of whom pays rent to another person from whom he derives title, the Land Department, upon the application of any of such persons, having regard to the several interests of each of such persons in succession, may make such orders, substituting for the immediate landlord any one of such persons whose interest is equal to that of a superior landlord within the meaning of this Act, and protecting, whether by payment or redemption or otherwise, the interests of all such persons, and with or without terms and conditions, as they think just and expedient.

(3.) The Land Department, on the application of any tenants of holdings on an estate, may require the person to whom they pay their rents to state to the Department such particulars respecting the estate and his interest therein as will show whether there is or is not any person who, as respects that estate is a superior landlord within the meaning of this Act, and the Land Department shall have the same power of enforcing the statement of those particulars as the High Court has for enforcing discovery.

28.—(1.) Where any land sold under the Land Purchase Acts, is subject with other land to any of the following liabilities, namely, any head rent, annuity, tithes rentcharge, land improvement charge, or drainage charge, and such liability is not redeemed, the Land Department or Board of Works shall apportion such liability between the purchase money of the land sold and the other land in accordance with sections fifteen and sixteen of the Land Law (Ireland) Act, 1887, and the said sections shall apply accordingly with the substitution of the purchase money for the land sold, and with other necessary modifications.

Apportionment and redemption of head rents and other liabilities.

50 & 51 Vict. c. 33.

(2.) Where an estate is subject to any such liability, and some only of the holdings on such estate are sold, the Land Department may, if they think fit, without apportioning such liability, apply the purchase money of the holdings in the redemption thereof.

(3.) Where a head rent is redeemed in pursuance of this section, and the owner of the head rent agrees to the extinguishment of any exceptions or reservations made by the instrument under

A.D. 1890. which the head rent is payable, the Land Department may order the extinguishment of such exceptions and reservations, or any of them.

Part II.
Amendment
of Land
Purchase
Law.

(4.) Where a holding sold in pursuance of the Land Purchase Acts is subject to any head rent or annuity and is indemnified⁵ by any other land wholly or partly against the payment of such liability, the Land Department may, after the prescribed notice, if they are satisfied that the other land affords such security for the liability for which it is an indemnity as to exempt the holding sold from any risk of being resorted to, declare the purchase money¹⁰ of such holding to be discharged from that liability, but if they are not satisfied that the other land affords such security as aforesaid, the liability for which such other land is an indemnity shall, for the purpose of the provisions of the Land Purchase Acts with respect to the distribution of the purchase money, be deemed¹⁵ to be a contingent claim against the purchase money.

30 & 31 Vict.
c. 33.

(5.) Any question which arises under the provisions of section sixteen of the Land Law (Ireland) Act, 1887, as to who are the parties for the purpose of determining the price of redemption of any liability, shall be referred to and determined by the Land²⁰ Department.

Redemption
of rent by
long lease-
holders when
occupying
tenants.
44 & 45 Vict.
c. 49.
50 & 51 Vict.
c. 33.

29.—(1.) Where a person in bonâ fide occupation of a holding to which Part One of the Land Law (Ireland) Act, 1881, applies is a lessee under a lease to which the provisions of section one of the Land Law (Ireland) Act, 1887, do not apply by reason of the period²⁵ of its expiration or by reason of its being renewable, and such person holds his land at a rent which the Land Department considers, having regard to the renewal fines (if any), to be a full agricultural rent, such occupier shall, subject as herein-after mentioned, be entitled to redeem his rent by payment of such³⁰ capital sum as may be agreed upon, or in case of difference may be determined (regard being had to the adequacy of the security) in like manner as if it were a head rent redeemed under the provisions of section sixteen of the Land Law (Ireland) Act, 1887.

Provided that if the lessor objects in the prescribed manner to³⁵ such redemption, the redemption shall not be made, but the lessee shall be deemed to be a tenant of a present tenancy in like manner and subject to the like conditions, and to the same right of resumption, as if his lease had expired, and his holding shall be

subject to the provisions of the said Act of 1881, with regard to present tenancies.

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Amendment
of Land
Purchase
Law.*

(2.) The Land Department may carry into effect a redemption under this section in like manner as if it were a redemption of a head rent under this Act, and upon the payment of the redemption money, shall by order discharge the holding from the said rent.

(3.) The Land Department may make an advance under this Act for such redemption money to the like amount as if that money were the purchase money of his holding by a tenant, and the provisions of this Act respecting the purchase-annuity and the vesting order shall apply with the necessary modifications.

Miscellaneous.

30. Where a landlord is willing to sell all but not a portion only of the holdings on his estate, and a body of tenants not less in number than three-fourths of the whole number of tenants on the estate, and paying in rent not less than *two thirds* of the whole rent of the holdings on the estate, are willing to purchase their holdings, and other purchasers can be found to buy the residue of such estate and to pay *one-half* of the purchase money for such residue, agreements for the sale of such residue may be made under the Land Purchase Acts in like manner as if the said purchasers were tenants of the landlord, and the Land Department may make advances under the said Acts in like manner as in the case of a sale to tenants, and the provisions of the said Acts shall apply accordingly, save that the advance shall not exceed *one half* of the purchase money, and the vesting order shall not affect the interest of the tenant in any holding bought by a purchaser not a tenant.

Purchase of
residues.

31.—(1.) Where the land comprised in a holding sold to a tenant is settled land within the meaning of the Settled Land Acts, 1882 to 1887, and the purchase money for such holding is received by the trustees of the settlement, those trustees, according to such direction and subject to such consent (if any) as is required by the Settled Land Acts, 1882 to 1887, may in their discretion invest the money not only in any security authorised by the settlement for any trust fund comprised therein, but also in any other securities, the investment in which is consented to by the person who next after the then tenant for life, and his or her wife or husband, is entitled to the money for his life or for any greater interest, and if such person is under disability, the consent may be

Extended
investment
of purchase
money of
holding.

A.D. 1890.

Part II.
Amendment
of Land
Purchase
Law.

given in manner provided by section seventy-three of the Landed Estates Court Act.

(2.) Where the persons so entitled are trustees they may give the said consent without incurring any liability, and may give it before the agreement for sale is made, and where the persons so 5 entitled are entitled as tenants in common, a majority of the persons representing the whole of the property of such tenants in common may give the said consent.

(3.) In the case of settled land, if there are no trustees of the settlement, trustees may be appointed under the Settled Land Acts, 10 1882 to 1890, before any such agreement for sale is made, and the trustees of the settlement may, before any such agreement for sale is made, consent to the securities in which money arising from any sale is to be invested.

(4.) This section shall not authorise an investment in any 15 security specifically forbidden by the settlement, but shall have effect notwithstanding any general prohibition of investing in securities not mentioned in the settlement.

Supple-
mental as
to orders
and acts of
Land De-
partment.

32.—(1.) A vesting order of the Land Department made under the Land Purchase Acts shall for all purposes be conclusive evidence 20 that such order was within the powers conferred by the said Acts, and that everything required to have been done previously to the making of the order has been duly done.

(2.) A certificate purporting to be under the common seal of the Land Department shall be conclusive evidence as to the proceeds 25 of any sale, letting, or management of a holding.

Fee farm
grants
excluded
from Act.

33. No advance shall be made under the Land Purchase Acts to enable a tenant who holds under a fee farm grant the rent reserved by which exceeds *one half* of the rent which, in the opinion of the Land Department, would be a fair rent for the holding if fixed 30 under the Land Law (Ireland) Acts, to purchase his holding.

Part III.
Sup-
plemental.

PART III.

SUPPLEMENTAL.

Power to
make rules.

34.—(1.) The Lord Lieutenant may, by Order in Council, on the recommendation of a majority of the Land Commissioners, 35 which majority shall include a judicial Land Commissioner, make

rules for prescribing anything authorised by the Land Purchase Acts or this Act to be prescribed, and generally for carrying into effect the provisions of the said Acts, and, amongst other things, for fixing and regulating the costs and fees to be charged in the Land Department, including the costs to be allowed to solicitors in respect of business transacted therein, and for taxing any such costs as aforesaid, and for fixing the fees, remuneration, and expenses to be allowed to witnesses and valuers, and for regulating the procedure to be observed and forms to be used with respect to any matters within the jurisdiction of the Land Department.

(2.) The assent of the Treasury shall be necessary for any rules relating to fees or involving the expenditure of public money.

(3.) All rules made under this section shall be judicially noticed, and shall, while in force, have effect as if enacted by this Act, and shall be laid before each House of Parliament within *forty days* next after they are made, if Parliament is then sitting, or if Parliament is not then sitting, within *forty days* after the commencement of the then next ensuing session; and if an address is presented to Her Majesty by either House of Parliament, within the next subsequent *one hundred days* on which the said House shall have sat, praying that any such rule may be annulled, Her Majesty may thereupon, by Order in Council, annul the same, and the rule so annulled shall thenceforth become void and of no effect, but without prejudice to the validity of any proceedings which may in the meantime have been taken under the same.

35.—(1.) Any persons entitled to an estate as trustees for sale, or trustees with a power of sale, and any body corporate, trustees for charities, commissioners, or trustees for collegiate or other public purposes, shall have the same power of selling under the Land Purchase Acts as if they were private individuals, subject nevertheless to the provisions of the said Acts respecting the disposal of the purchase money, and subject also to such consent (if any) as would be required in the case of a sale independently of this Act.

(2.) A landlord holding land under a lease for lives or years renewable for ever, or for a term of years, of which not less than *sixty* are unexpired at the time of a sale may sell under the said Acts as if he were owner of the fee simple and inheritance of such land, subject nevertheless to the provisions of this Act, but a landlord having any less interest shall not, save as otherwise provided by this Act, be able to sell under the said Acts.

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Part III.
Sup-
plemental.Person
entitled as
landlord to
sell under
Act.

A.D. 1890.

Part III.
Supple-
mentof.
Interpreta-
tion of
terms.

36.—(1.) In this Act, unless the subject or context otherwise requires:—

The expression "Lord Lieutenant in Council" means the Lord Lieutenant by and with the advice of the Privy Council:

The expression "Lord Chancellor" includes Lords Commis- 5
sioners of the Great Seal of Ireland:

The expression "Land Judge" means the Land Judge of the Chancery Division of the High Court:

The expression "Local Government Board" means the Local Government Board for Ireland: 10

The expression "prescribed" means prescribed by rules made in pursuance of this Act:

The expression "estate" means in the case of any provision of this Act any lands in the ownership of the same landlord which the Land Department may declare to be proper to be 15
treated as an estate for the purposes of the said provision:

The expression "head rent" means any Crown rent, quit-rent, fee farm rent, or any rent or rentcharge not being the rent payable by a tenant in possession of a holding, and not being tithe rentcharge or a land improvement or drainage charge or 20
other like charge, and includes any money payable in lieu of any service or manorial right or renewal or other fines:

The expression "easements" includes profits à prendre:

The expression "costs" includes charges and expenses:

The expression "rateable value," when used in relation to any 25
hereditament or area, means the annual rateable value under the Irish Valuation Acts of such hereditament or of the hereditaments comprised in such area:

The expression "The Land Law (Ireland) Acts" means the Landlord and Tenant (Ireland) Act, 1870, the Land Law 30
(Ireland) Act, 1881, Part II. of the Tramways and Public Companies (Ireland) Act, 1883, the Purchase of Land (Ireland) Act, 1885, the Land Law (Ireland) Act, 1887, the Purchase of Land (Ireland) Amendment Act, 1888, and the Purchase of Land (Ireland) Amendment Act, 1889: 35

The expression "Land Purchase Acts" means the Landlord and Tenant (Ireland) Act, 1870 (Parts II. and III.), the Landlord and Tenant (Ireland) Act, 1872, the Land Law (Ireland) Act, 1881 (Parts V., VI., and VII.), the Tramways and Public Companies (Ireland) Act, 1883 (Part II.), the Purchase of 40
Land (Ireland) Act, 1885, the Land Law (Ireland) Act, 1887 (Part II.), the Purchase of Land (Ireland) Amendment Act,

1888, and the Purchase of Land (Ireland) Amendment Act, 1889, and any Act of the present session of Parliament incorporated with the said Acts.

*Part III.
Supple-
ment.*

32 Vict. c. 3.
44 & 45 Vict. c. 43.
45 & 46 Vict. c. 73.
46 & 47 Vict. c. 53.

(2.) Any expressions or words in this Act which are not hereby defined, and are defined in the Land Purchase Acts, shall, unless there is something in the context of this Act repugnant thereto, have respectively the same meanings as in the Land Purchase Acts respectively.

37. The enactments described in the Second Schedule to this Act are hereby repealed, to the extent appearing in the third column of that schedule.

Repeal of
enactments.

Provided that the repeal of the enactment described in the second part of that schedule shall not take effect until the abolition of the office of Commissioner of Valuation.

38. This Act shall come into operation on the *first day of August, one thousand eight hundred and ninety-one.*

Commence-
ment of Act.

39. This Act shall be construed as one with the Land Purchase Acts, and may be cited as the Land Department (Ireland) Act, 1891.

Short title.

A.D. 1890.

SCHEDULES.FIRST SCHEDULE.*Enactments relating to Jurisdiction, Powers, and Duties of
Board of Works.*

10 & 11 Vict. c. 52.	The Landed Property Improvement (Ireland) Act, 1847.	5
12 & 15 Vict. c. 36.	An Act to amend an Act of the tenth year of Her Majesty for facilitating the improvement of landed property in Ireland.	
18 & 19 Vict. c. 31.	An Act to authorise further advances of money for drainage and the improvement of landed property in the United Kingdom, and to amend the Acts relating to such advances.	10
18 & 19 Vict. c. 84.	An Act to extend the Act to facilitate the improvement of landed property in Ireland, and the Acts amending the same, to the erection of scotch mills for flax in Ireland.	
23 & 24 Vict. c. 19.	An Act to extend the Act to facilitate the improvement of landed property in Ireland, and the Acts amending the same, to the erection of dwellings for the labouring classes in Ireland.	15
24 & 25 Vict. c. 71.	An Act to provide for the performance of duties heretofore performed by the Paymaster of Civil Services in Ireland in relation to advances and repayments of public money for public works.	
26 & 29 Vict. c. 29.	An Act to amend and enlarge the Acts for the improvement of landed property in Ireland.	20
27 & 28 Vict. c. 114.	The Improvement of Land Act, 1864.	
29 & 32 Vict. c. 40.	An Act to authorise a further advance of money for the purposes of the improvement of landed property in Ireland.	
40 & 41 Vict. c. 57.	The Public Works Loans (Ireland) Act, 1877, sections eleven to fourteen.	25
40 & 41 Vict. c. 58.	The County Officers and Courts (Ireland) Act, 1877, section forty-one.	
44 & 45 Vict. c. 40.	The Land Law (Ireland) Act, 1881, sections nineteen and thirty-one.	
46 & 47 Vict. c. 43.	The Tramways and Public Companies (Ireland) Act, 1883, sections twenty and twenty-one.	
48 & 49 Vict. c. 75.	The Purchase of Land (Ireland) Act, 1885, section four.	30
51 & 52 Vict. c. 29.	The Public Works Loans Act, 1888, section seven.	

SECOND SCHEDULE.

A.D. 1890.

ENACTMENTS REPEALED.

PART I.

Enactments to be Repealed on Commencement of Act.

5	Chapter and Session.	Title of Act.	Extent of Repeal.
10	21 & 22 Vict. cap. 72.	Landed Estates Court Act.	Section fifty-five, the words "rights of way, " rights of common, or " other easements," and section sixty-one, the words "rights of " common or other " easements " where- ever they occur.
15	44 & 45 Vict. cap. 49.	The Land Law (Ireland) Act, 1881	Section fifty, sub-section three.
	48 & 49 Vict. cap. 73.	The Purchase of Land (Ireland) Act, 1885.	The Schedule.

PART II.

20 *Enactment to be Repealed on Abolition of Office of Commissioner of Valuation.*

Chapter and Session.	Title of Act.	Extent of Repeal.
23 Vict. cap. 4.	The Annual Revision of Rateable Property (Ireland) Amendment Act, 1860.	Section four.

Land Department
(Ireland).

A

B I L L

To continue a Land Department and
to amend the Laws relating to the
Purchase of land in Ireland,

*(Prepared and brought on by
Mr. Arthur Stelfox, M.P., Chancellor of the
Exchequer, and Mr. Attorney-General
for Ireland.)*

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[RE 112.]